IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 645 OF 2006

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

CORAM : B.P. DHARMADHIKARI, J.
FEBRUARY 10, 2006.

Heard Shri Vaishnav, learned counsels for the petitioner and Shri Yengal, learned AGP for the respondents No. 1 to 3.

By the impugned order, the revisional authority i.e. Respondent No.1 has only remanded the matter for holding fresh enquiry. The authority has prima facie found that the lady viz., Gangubai has expired on 2.6.2002 and her signature on the face of document along with other legal heirs is shown to have been taken before Executive Magistrate, Telhara, on 24.4.2003. The revisional authority has further found that there is some difference in the signature of father also.

The learned counsel for the petitioner states that the signatures were obtained earlier and only verification has been done by the Executive Magistrate later on.

However, the revisional authority has gone by what the document shows and has appreciated the situation.

Shri Yengal, learned AGP contends that the inference drawn by the revisional authority after seeing the document is neither perverse nor erroneous and the matter has been only remanded back for holding enquiry into the correctness or otherwise of the facts appearing on the face of document. He, therefore, states that no case is made out for interference in writ jurisdiction.

It is apparent that the revisional authority has perused the document and it has found that the case for enquiry into the correctness or otherwise of those documents was made out. It has therefore directed the Additional Collector, Akola, to verify the documents and thereafter to proceed further with recording of names of legal heirs in accordance with law.

I find that no jurisdictional error or error apparent on the face of record is demonstrated by the petitioner before this Court. No case is made out for interference in writ jurisdiction. Writ Petition is, therefore, dismissed. No costs.

JUDGE

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